

EXECUTIVE COUNCIL OF IOWA

MINUTES

DECEMBER 17, 2018

The Executive Council met in regular session at 10:05 a.m. in Room G09 of the Capitol Building with Secretary of State Paul Pate presiding. Auditor of State Mary Mosiman, Treasurer of State Michael Fitzgerald (via telephone) and Secretary of Agriculture Michael Naig were present. Governor Kim Reynolds was absent.

Regular Session
December 17, 2018

Moved by Auditor Mosiman and seconded by Secretary Naig that the Council approve the minutes of the Executive Council and Board of Canvass meeting held December 3, 2018.

Minutes Approved

The vote: Ayes: Secretary Pate
 Auditor Mosiman
 Treasurer Fitzgerald
 Secretary Naig
 Nays: None

Moved by Secretary Naig and seconded by Auditor Mosiman that the Council approve the request from the Attorney General's Office for payment of expenses under Iowa Code §7D.10 in the amount of \$6,130.38 for prosecuting cases under Iowa Code chapter 229A.

Approved Payment
for Expenses Under
Iowa Code §7D.10

The vote: Ayes: Secretary Pate
 Auditor Mosiman
 Treasurer Fitzgerald
 Secretary Naig
 Nays: None

Moved by Secretary Naig and seconded by Auditor Mosiman that the Council approve the request from the Department of Justice, Attorney General's office as follows:

Approved Outside
Counsel

- A. The Department of Justice, Attorney General's office requests retention of outside counsel, pursuant to Iowa Code section 13.3(1) to provide legal services and, if necessary, legal representation related to collective bargaining with AFSCME Council 61 for the 2017-2019 or 2019-2021 collective bargaining agreements.

Firm: Belin McCormick
666 Walnut St
Suite 2000
Des Moines, IA 50309

Rates: Belin McCormick offers their services at a rate discounted
15% from their usual billing rates.

The vote: Ayes: Secretary Pate
Auditor Mosiman
Treasurer Fitzgerald
Secretary Naig
Nays: None

Moved by Treasurer Fitzgerald and seconded by Secretary Naig that the Council approve the requests as follows:

Approved
Emergency
Allocations

- A. Iowa Veterans Home is requesting a supplemental emergency allocation in the amount of \$3.00. This will increase the total allocation to \$9,580.75. On April 14, 2018 high wind caused damage to several buildings. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- B. Iowa Communications Network is requesting an emergency allocation in the amount of \$34,016.41. On October 1, 2018 ICN sustained cable damage due to erosion along Highway 93 in Fayette County. Request was to cover repair costs.
- C. Iowa Communications Network is requesting a supplemental emergency allocation in the amount of \$1,894.23. This increases the total allocation to \$29,258.14. On October 2, 2018 ICN sustained cable damage due to erosion along Highway 13 in Clayton County. Request was to cover repair costs.
- D. Board of Regents – Iowa State University is requesting an emergency allocation and reimbursement in the amount of \$62,753.96. On December 3, 2015 water tank failure caused water damage at Beyer Hall. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

- E. Board of Regents – Iowa State University is requesting an emergency allocation and reimbursement in the amount of \$56,194.00. On December 6, 2015 a fire damaged the sauna and men’s locker room at the Science and Technology State Gym. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- F. Board of Regents – University of Iowa is requesting an emergency allocation and reimbursement in the amount of \$133,531.34. On July 24, 2015 a fire damaged the Chemistry building and equipment. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- G. Department of Natural Resources is requesting an emergency allocation in the amount of \$2,342.20. On November 13, 2018 vehicle #1209 was damaged by a deer in Taylor County. Request was to cover repair costs.
- H. Department of Public Safety is requesting an emergency allocation in the amount of \$3,748.91. On November 21, 2018 State Patrol Vehicle #209 was damaged by a deer in Howard County. Request was to cover repair costs.
- I. Department of Cultural Affairs is requesting a supplemental emergency allocation in the amount of \$57.64. This brings the total allocation to \$10,562.48. On August 30, 2018 there was damage to the HVAC system due to a theft at Western Historic Trails Center in Council Bluffs. Request was to cover repair costs.

The vote: Ayes: Secretary Pate
 Auditor Mosiman
 Treasurer Fitzgerald
 Secretary Naig
 Nays: None

Moved by Treasurer Fitzgerald and seconded by Secretary Naig that the Council approve the following cost items:

- A. Iowa Communications Network.....\$16,016.10
 On July 1, 2018 ICN sustained cable damage due to a washout of Four Mile Creek at NE 62nd Avenue. Request was to cover repair costs. This represents full and final payment, \$5,800.41 will be reverted and this allocation closed.
- B. Iowa Communications Network.....\$14,560.00
 On July 17, 2018 ICN sustained cable damage due to erosion along Harrison Avenue near Rock Rapids. Request was to cover repair costs. This represents full and final payment and this allocation closed.

Approved Payment
 of Cost Items (1 of
 2)

- C. Iowa Communications Network.....\$14,350.52
On February 12, 2018 a cable was damaged due to rodent chews along Caves Road in Jackson County. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- D. Department of Natural Resources\$12,227.12
Drainage taxes for the following county:
- | | |
|---------|-------------|
| Fremont | \$12,227.12 |
|---------|-------------|
- E. Hall Render Killian Heath & Lyman P.C. (Baker).....\$784.35
Suite 2000, Box 82064
One American Square
Indianapolis, IN 46282
University of Iowa Hospitals and Clinics (UIHC) Appeals
- F. Hall Render Killian Heath & Lyman P.C. (Baker).....\$1,276.39
Suite 2000, Box 82064
One American Square
Indianapolis, IN 46282
University of Iowa Hospitals and Clinics (UIHC) Appeals
- G. Hall Render Killian Heath & Lyman P.C. (Baker).....\$1,128.79
Suite 2000, Box 82064
One American Square
Indianapolis, IN 46282
University of Iowa Hospitals and Clinics (UIHC) Appeals
- H. Gray Miller Persh, LLP.....\$1,125.90
1200 New Hampshire Ave., N.W.
Washington, D.C. 20036
Iowa Public Television
- I. Foley & Lardner, LLP.....\$548.90
321 North Clark Street
West Des Moines, IA 50265
Legal Advice to OCIO
- J. Richard J. Bennett, Sr.....\$3,798.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

- K. Davis Brown Law Firm.....\$989.00
 215 10th Street, Suite 1300
 Des Moines, IA 50309-3993
Unclaimed Property Probate Matters & Employee Retirement Income Security Act (ERISA)
- L. Patterson Law Firm L.L.P.....\$144.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Rory Aschbrenner vs. Iowa State University, State of Iowa and Second Injury Fund of Iowa
- M. Patterson Law Firm L.L.P.....\$556.75
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Mark Alan Plueger v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa
- N. Patterson Law Firm L.L.P.....\$24.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Joshua Garringer v. University of Iowa, State of Iowa and Second Injury Fund of Iowa
- O. Patterson Law Firm L.L.P.....\$54.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Mary Kimball v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa
- P. Patterson Law Firm L.L.P.....\$344.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Mark Ostring v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa

- Q. Patterson Law Firm L.L.P.....\$72.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
James Conwell v. University of Iowa Hospitals and Clinics, State of Iowa and Second Injury
- R. Patterson Law Firm L.L.P.....\$192.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Steven Porter v. Iowa State Fair, State of Iowa and Second Injury Fund of Iowa
- S. Patterson Law Firm L.L.P.....\$312.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Myra Ball v. Iowa Insurance Division, State of Iowa and Second Injury Fund of Iowa
- T. Patterson Law Firm L.L.P.....\$330.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
James Brundies v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa
- U. Patterson Law Firm L.L.P.....\$180.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Jeffrey M. Skaggs v. Newton Correctional Facility, State of Iowa and Second Injury Fund of Iowa
- V. Patterson Law Firm L.L.P.....\$24.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Amy Wearmouth v. Iowa Correctional Institute for Women, State of Iowa and Second Injury Fund of Iowa

- W. Patterson Law Firm L.L.P.....\$252.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Kameron Paulus v. Mt. Pleasant Correctional Facility, State of Iowa and Second Injury Fund of Iowa
- X. Patterson Law Firm L.L.P.....\$322.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Cherie Kreger v. University of Northern Iowa, State of Iowa and Second Injury Fund of Iowa
- Y. Belin McCormick, P.C.....\$296.00
 666 Walnut Street, Suite 2000
 Des Moines, IA 50309
ISEA v. State of Iowa, a civil case number CVCV053887

The vote: Ayes: Secretary Pate
 Auditor Mosiman
 Treasurer Fitzgerald
 Secretary Naig
 Nays: None

Moved by Secretary Naig and seconded by Auditor Mosiman that the Council approve the following cost items:

- A. Nyemaster Goode, P.C.....\$196,397.36
 700 Walnut Street
 Suite 1600
 Des Moines, IA 20309
Godfrey v. State of Iowa et al, civil rights complaint

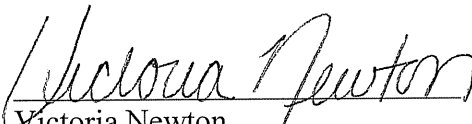
The vote: Ayes: Secretary Pate
 Auditor Mosiman
 Secretary Naig
 Nays: Treasurer Fitzgerald

Approved Payment
 of Cost Items (2 of
 2)

The meeting was adjourned at 10:08 a.m.

Meeting adjourned

Respectfully submitted,


Victoria Newton
Executive Secretary